

REMARKS

Claims 1-19 are pending in this application. By this Amendment, claims 1, 2, 15 and 16 are amended and new claims 17-19 are added. Support for the amendments can be found, for example, in Fig. 4 and on page 12, line 24 to page 13, line 13 of the specification. No new matter is added. Applicant respectfully requests reconsideration and prompt allowance of the pending claims at least in light of the following remarks.

I. Rejection Under 35 U.S.C. §112, second paragraph

The Office Action rejects claims 1 and 10 under 35 U.S.C. §112, second paragraph. In the rejection of claim 1, the Office Action asserts that there is insufficient antecedent basis for the recited feature "a data processing unit." However, "a data processing unit" is first recited in claim 1 and thus does not require antecedent basis. Applicant respectfully requests withdrawal of the rejection.

In the rejection of claim 10, the Office Action asserts that there is insufficient antecedent basis for the recited feature "the second mode processing portion." However, claim 10 depends upon claim 9, which in turn, depends on claim 8. Therefore, claim 10 incorporates the recited features of claims 8 and 9. Because claim 8 recites "a second mode processing portion," the feature "the second mode processing portion" recited in claim 10 has antecedent basis. Applicant respectfully requests withdrawal of the rejection.

II. Rejection Under 35 U.S.C. §102

Claims 1-16 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0200503 to Koppich et al. (hereinafter "Koppich"). The rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Brothers v. Union Oil Company of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed

Circuit 1987). Regarding claim 1, Koppich does not expressly or inherently disclose each and every element of claim 1. For example, claim 1 recites "a data processing device connected to and in communication with a terminal device, comprising... a storing unit... a recognition setting unit that enables the terminal device to recognize the storage area in the storing unit as an external storage device or prevents the terminal device from recognizing the storage area in the storing unit as the external storage device."

Koppich discloses a data transport network 100, which is characterized by the Office Action as a data processing device. Koppich discloses that a data transport network 100 is any wire based or wireless data communication mechanism (page 2, paragraph [0017]). However, Koppich does not disclose that data transport network 100 includes a storing unit, a recognition setting unit or a data processing unit. Furthermore, it is not inherent that data transport network 100 include a storing unit, recognition setting unit or data processing unit. Therefore, Koppich does not teach each and every limitation recited in claim 1.

Even if any other of the components of the document management system disclosed by Koppich in page 2, paragraph [0016] were to be characterized as a data processing device, Koppich would still not anticipate each and every limitation recited in claim 1. In particular, Koppich fails to disclose that the document management platform 102, the computer 104, server 106, or image generating device 108 includes a recognition setting unit. Nor is it inherent that any of these devices include a recognition setting unit. Because Koppich does not teach each and every limitation recited in claim 1, the rejection of claim 1 is respectfully traversed.

The rejections of dependent claims 2-14 are respectfully traversed for the same reasons as discussed above for independent claim 1.

Independent claim 15 recites "a facsimile machine comprising... a recognition setting unit that enables the terminal device to recognize the storage area in the storing unit as an

external storage device or prevents the terminal device from recognizing the storage area in the storing unit as the external storage device." Koppich discloses an image generating device 108, which is characterized by the Office Action as a facsimile machine. Koppich does not disclose that image generating device 108 includes a recognition setting unit that enables the terminal device to recognize the storage area in the storing unit as an external storage device, nor is it implicit that image generating device 108 includes such a recognition setting unit. Thus, Koppich does not disclose the features of claim 15.

Independent claim 16 recites "a computer readable storage medium that stores a computer executable program for permitting a facsimile machine to function as a data processing device... the program comprising... instructions for enabling the terminal device to recognize the storage area in the storing unit as an external storage device or preventing the terminal device from recognizing the storage area in the storing unit as the external storage device." Koppich does not disclose a computer readable storage medium that stores a computer executable program that includes instructions for enabling the terminal device to recognize the storage area in the storing unit as a storage device." Thus, Koppich does not disclose the features of claim 16.

Dependent claims 17-19 depend from independent claims 1, 15 and 16, respectively. Therefore, dependent claims 17-19 are patentable at least for their dependence on claims 1, 15 and 16, respectively, as well as for the additional features these claims recite.

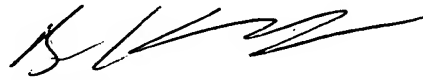
Accordingly, withdrawal of the rejection is respectfully submitted.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: January 5, 2009

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